

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to this patent application are to revise the claims so as to overcome the formal rejection thereof. With regard to claim 1, it recites the broad recitation "air conduction element", and claim 1 also recites "an air conduction channel for a motor vehicle" which is a narrower statement of the range limitation.

In response to this objection, claim 1 was amended to cancel the language "particularly an air conduction channel".

With regard to claim 5, in lines 4 and 5, the language "carring [sp] nonwoven or a covering nonwoven" was objected to as being misdescriptive.

In response to this objection, this language was cancelled from claim 5, and was reintroduced as newly added claim 12.

With regard to claim 10, this claim was objected to as being misdescriptive. In response to this objection, claim 10 was amended to cancel the following language: "and possibly a film (18) positioned on the outside of the sound-absorbing component".

This cancelled language was reintroduced as newly added claim 11.

For all these reasons, all the claims are now believed to be in complete compliance with all the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

Enclosed are the copies of the three (3) documents which the International Office apparently failed to forward to the U.S.P.T.O. These three (3) documents are listed on the enclosed PTO Form-1449, and include *DE 9100514*, *DE 3639138* and *FR 2745034*. Also listed on the PTO Form-1449 are Abstracts of Japanese Applications *JP 6156052* and *JP 6156054*. Copies of these two (2) Japanese Application Abstracts are also enclosed.

Reconsideration and withdrawal are respectfully requested for the rejection of Claims 1 to 10 under 35 U.S.C. 102 as being

anticipated by the Japanese document *JP 6156051 A (Fukushima et al.)*.

The air conduction element (1) according to the present invention has a reverberant channel body (2) manufactured from plastic, which has at least one wall region replaced by a sound-absorbing component (10, 11). This sound-absorbing component has an at least partially exposed outer side. Furthermore, the air conduction element (1) according to the present invention is characterized in that an edge region of the sound-absorbing component (10, 11) is extrusion coated with the plastic of the channel body (2). This extrusion coating occurs in such a way that the sound-absorbing component (10, 11) is connected in a form-fitting way to the channel body (2) along at least a section of its circumference (see figure 3).

In contrast thereto, Japanese Patent Application *JP 6156051 A* cited by the Patent Examiner discloses an air conduction element having a channel body (2) and a sound-absorbing component (3). This sound-absorbing component (3) is not connected in a form-fitting way to the channel body (2), but is glued to the edge of the window-like opening (1) of the channel body (2). (Please see Figure 3 of *JP 6156051* and the

English computer translation, column 0006, first sentence "with adhesives, a binder, etc."; column 0009 "through adhesives or a binder"...; and column 0010 "Opening 1 is pasted with the hot melt adhesive"....).

Please note that the content and disclosure of *JP 6156051 A* cited by the Patent Examiner is very similar to the content of the enclosed two Japanese patent applications *JP 6156052 (Fukushima et al.)* and *JP 6156054 (Fukushima et al.)*. These two documents are already mentioned on Page 2 of the present Specification in the introduction of the present patent application. Neither the German Patent Office nor the European Patent Office have utilized these Japanese patent applications as being a reference against the patentability with respect to the present invention.

For all these reasons, the present invention, and all the claims, are not identically disclosed by any prior art reference. Hence, the present invention is not anticipated under 35 U.S.C. 102. Withdrawal of this ground of rejection is respectfully requested.

In summary, claims 1, 5 and 10 have been amended, claims 11 and 12 have been added, and claims 1 to 12 are pending. In view of these amendments, it is firmly believed that the present invention and all the claims are patentable under 35 U.S.C. 103. A prompt notification of allowability is respectfully requested.

It is believed that no fee should be required for the enclosed PTO Form-1449. However, if any fee is required for the filing of this document at this stage of the prosecution, the Commissioner of Patents and Trademarks is hereby authorized to charge any required fee, or to credit any overpayment, to Deposit Account 03-2468.

Respectfully submitted,
PROSSER ET AL-1 PCT



COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ERF:lgh

Allison C. Collard, Reg.No.22,532
Edward R. Freedman, Reg.No.26,048
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

Enclosures: PTO Form-1449 and copies of five (5) references

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 13, 2005.



Maria Guastella